

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
July 13, 2009

**PRESENT:** TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; DONNA OSBORNE, SELECTMAN; JAMES DONISON, SELECTMAN

**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Frank Campana, Dan Aiken, Greg Begin, Bob Peterson, Officer Carney, Officer Cox, Officer Kelley

**7:00 p.m. Chairman Clow called the meeting to order.**

Chairman Clow said the primary purpose of the meeting, other than signing the manifest is to conduct public hearings to accept several grants.

**PUBLIC HEARINGS – FOR THE PURPOSE OF HEARING PUBLIC TESTIMONY AND COMMENT ON PENDING GRANTS FOR THE POLICE DEPARTMENT:**

**Chairman Clow opened the public hearing at 7:02 p.m.**

**(1) Grant for a Reimbursement for Law Enforcement Services at Everett Dam, U.S. Army Corp of Engineers with an amount up to \$3,825.00**

Chief Begin said this is a reimbursement grant. The Police Department regularly checks the dam and Clough State Park as a routine on their shifts. They inspect the ranger station and walk down the dam itself and check the control tower. Lt. Carney spoke with people in Franklin who are doing this kind of work for the Army Corp and they told him they get reimbursed from the Army for these services. The grant is in effective June 15 through October 31 and is renewable. They are paid for ½ hour and travel mile. They will patrol once from noon to 8 p.m. and once again 8 p.m. to 4 a.m. each time spending ½ hour checking the dam and control tower. The grant is for a total of \$3,825. Chief Begin said this is not an added patrol, just being done on patrol. Vice Chairman Butt asked if they are being paid through the Army Corps of Engineers. Chief Begin said yes and Mrs. Tina Connor has already set up the accounts.

**Chairman Clow closed the public hearing at 7:05 p.m.**

**Vice Chairman Butt moved, Selectman Donison seconded to accept the Army Corp of Engineers Grant to patrol Clough Park Dam for a total of \$3,825.00. Passed 4-0-0**

It was discussed they will be reimbursed in one lump sum. Selectman Osborne asked Chief Begin what prompted him to start checking the dam. Chief Begin said historically they have always checked the area on their normal patrol. On one of those checks they did find 2 individuals breaking into the control tower.

**Chairman Clow opened the public hearing at 7:07 p.m.**

**(2) Grant for Weare Enforcement Patrols (Motor Vehicle – Speed and Other Violations). State of N.H. Highway Safety with an amount up to \$5,229.38**

Chief Begin said the total cost won't be that high, they take the highest officers pay and calculate it to get that amount. If a different officer, with lower pay does the shift it will be a lower cost. They would patrol between 6 a.m. – 10 a.m. or 3 p.m. – 7 p.m. M-F in 4 hour blocks. This grant will help the department with getting the enforcement out there. Chief Begin said there have been 142 motor vehicle complaints since January 31 of this

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year. They have one officer out during the day and this would allow them to have another officer out for vehicle safety. Selectman Donison asked what they would do if they don't get this money. Chief Begin said they would conduct business as usual, this would help with patrols to help vehicles to slow down. Chief Begin said historically they apply for this grant.

Mr. Frank Campana asked if this grant is similar to the FEMA grant that the Board accepted last week and if it would go into the General Fund. Chief Begin said there is a line that the money would go into and the Police Department would be paid out of that line, it does not go into the General Fund because it is reimbursement. Chairman Clow said this is different from going to the dam, this adds an officer to a shift for patrols and therefore ups the cost for the 22 patrols at 4 hours each. Chairman Clow said he would not want to see this money go back into the General Fund. Mr. Campana would like to see for sure how it goes into the budget. Mr. Campana said the problem he has, even though it is state money, it is still debt money, the state is not in great financial situation either. Mr. Campana said if they did not accept it, it might not add up to much. He can see the advantage to the added patrols, but this amount of money is not much more than giving the officers a little more in their paychecks. Mr. Campana said if they didn't accept the money it probably wouldn't even send much of a message to the state.

Selectman Donison asked how many hours the grant is for. Chief Begin said 22 4 hour blocks. Selectman Donison asked Chief Begin to speak to the scheduling of these patrols when previously they would not have been scheduled. Chief Begin said this is an added officer during the peak hours of traffic in town. Chairman Clow said they do have 2 major commuter routes that are very busy during the stated hours. Chief Begin said the problem is the patrol officer is taking complaints and does not have the time for traffic. Selectman Osborne asked if this will help with overtime reflected in the Manifest. Chief Begin said it has nothing to do with the overtime they incur.

Officer Peterson said he has worked for the Weare Police Department for the last 6 years and parents come up to him and ask if they can do something with this road and that road. Officer Peterson said with one officer during the day doing patrols it is hard to handle it all. He said yes, the money goes to the officers, but after going to incidents, accidents and property damages he feels this is a worth while investment in the town.

Mr. Neal Kurk said he is concerned with this item and each of the others in which the money is basically coming from money being borrowed from China and elsewhere. This is Federal Stimulus money coming to the state and he would like to see it reduce property taxes. Mr. Kurk asked if this can be used to substitute for overtime. Mr. Kurk said if they have to use this for additional officers, they would get more for their money if they utilized part time officers. Mr. Kurk is concerned with jumping on so called "free" money. He hopes the Board looks seriously at using this money, however legally possible to get them more service bang for the borrowed dollar.

Officer Dan Aiken said this is money available, prior to the Stimulus package, it is not free money, and it comes out of registration fees and other funding. He does not feel that residents can say they are happy with the traffic situation in town. When officers are on patrol during the day and they get a call for an accident, it ties up the officer which means the officer is not on patrol. This is specifically slated to DWI and speed violation, it cannot go into the General Fund. If they can obtain this funding and strictly focus on traffic, speed violations and DWI he thinks they should take advantage of that.

**Chairman Clow closed the public hearing at 7:24 p.m.**

Vice Chairman Butt said he supports Chief Begin and doubts he is grabbing for money that he feels the town does not need. Vice Chairman Butt said he knows these grants will benefit the Town of Weare and all citizens. He knows the money is not free money, but the additional patrol will be beneficial.

**Vice Chairman Butt moved, Selectman Donison seconded to accept the Grant for Weare Enforcement Patrols from the State of N.H. Highway Safety with an amount up to \$5,229.38. Passed 4-0-0**

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**Chairman Clow opened the public hearing at 7:25 p.m.**

**(3) Grant for Weare DWI Patrols. State of N.H. Highway Safety with an amount up to \$5,229.38**

Chief Begin said this grant is strictly Fridays, Saturdays and Holidays from 10 p.m. to 2 a.m. and will be in effect August 21 to Sept 15. It was discussed there are only 18 Fridays, Saturdays and Holidays remaining so the grant will be less than \$5,229.38. This is the same package as the enforcement grant but focuses on DWI. Chief Begin said their DWI arrests are higher than other towns their size because the officers are trained to detect drugged/drunk drivers. Chief Begin said this is not stimulus money, it has been going on for years, before President Obama took office. The State of N.H. Highway Safety gives this money throughout the state. Chief Begin said he does not put in for grants for things they will not utilize and only applies for grants he feels are appropriate for the town. Chief Begin said partying starts on Thursdays and would like to apply for some Thursdays as well. Chief Begin said if this is approved they will have an extra officer on duty Friday, Saturday and Holidays. There are no matching funds needed.

Lt. Carney informed the Board in August they will be losing two officers to the academy. Crime does not stop when those officers are in the academy. There are establishments in town, bringing forth incidents, the problem is not going away. These patrols are specifically for vehicle patrols, cannot be pulled off for other incidents. He strongly encourages the Board to approve the grant. This has proven successful in the past and usually ends in arrest of individuals.

Chairman Clow asked if they set up checkpoints or just look for DWIs. Chief Begin said they look for them, he does not like DWI checkpoints because the ones that know take another route. Vice Chairman Butt asked how many establishments in town serve alcohol. Lt. Carney said there are three.

**Chairman Clow closed the public hearing at 7:36 p.m.**

**Selectman Donison moved, Vice Chairman Butt seconded to approve the Grant for Weare DWI Patrols from the State of N.H. Highway Safety with an amount up to \$5,229.38. Passed 4-0-0**

**Chairman Clow opened the public hearing at 7:37 p.m.**

**(4) Grant for OHRV Enforcement. State of N.H. Fish & Game with an amount up to \$2,250.00**

Chief Begin said this grant is in effect from the date signed and expires June 2010 and cannot exceed \$2,250.00. Originally they discussed doing this just because of incidents at Clough State Park. Chief Begin said this is a very busy area during the summer on the weekends. There has also been various accidents in the Ferrin Pond Area. Chief Begin said they are trying to educate people driving OHRV and the need to use helmets. Chief Begin said people are out there cruising the back woods because the police can't get out there. Chief Begin said the department does not have an OHRV, they will patrol best as they can with the Expedition. It was discussed there have been a number of drug arrests that have come out of Clough State Park as well. Fish and Game will not be out there, as in previous years, which is why they are giving these grants out. They will patrol in 3 hour blocks on Saturdays and Sundays, which comes out to about 16 patrols; 48 hours total. Sgt. Kelley said in terms of violations: OHRV need to be registered, can not operate under impairment, headlights at night, must be on trails, wearing eye protection and cannot overtake other OHRVs. There are people who are impaired driving these vehicles in the woods. Selectman Donison asked how they catch them. Sgt. Kelly said some people do not stop on their OHRV, but some do stop. Chief Begin said it is the element of surprise and knowing where they are going to go back to when they are done.

Officer Peterson said this is beneficial because people go far away to do things that they should not be doing and patrolling these 2 areas will help to deter that activity. This grant gets them further into the areas where they need to be patrolling.

Mr. Campana said he cannot deny that there is benefit from these grants. He commented that the previous Police Chief tried for this grant and years ago there was a vehicle donated to town to patrol areas without access. Chief Begin said this is the first time he is applying for this grant. Mr. Campana wonders when the

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Police Department will be requesting an added expense of an OHRV and the burden that will put on tax payers. Mr. Campana asked the Board to think of the repercussions and feels it will set a precedence.

Lt. Carney said unfortunately with experience he has seen many things and commented on a murder victim found back at Clough State Park in 1998. He feels the Police Department is making people feel safe that there are multiple officers, patrolling multiple locations. They try to give the appearance that there are more police officers than there really are, that type of policing has been known to cut down on crime. Lt. Carney said at Clough there are plenty of locations and trails to park a police vehicle and be visible. Lt. Carney promises the Board when these patrols take place he will bring in the log to show the Board what has taken place. Lt. Carney said they have never applied for this grant before. Lt. Carney said they have pulled a lot of people out of Clough State Park with wrong doing.

Vice Chairman Butt said he does have a problem with this grant because he doesn't want any false implications, other grants will be visible, and being present word will get around that the police are taking notice on DWI and vehicle violations. Vice Chairman Butt said he can't see the department being visible without the OHRV and from a practical standpoint he does not see how this would be effective. Chief Begin said if they are visible down there that will be a deterrent and people will come up to the officers and inform them of wrong doing. Vice Chairman Butt is concerned with the hours as well, other grants that are focusing on weekends, and this focuses on weekends as well. Chief Begin said this would focus on day time hours and he is hoping to put this on the end of the 7-5 shift and send officers out to the park from 5-8. Officers will drive the Expedition around the area, be visible and stop and talk with people. Vice Chairman Butt asked about Ferrin Pond. Chief Begin said they will be going in as far as possible and then walk in. Chief Begin doesn't expect much time being spent at Ferrin Pond because most problems are down in South Weare at Clough State Park. Vice Chairman Butt asked about working things out with 4 wheeling enthusiasts about informing the department of anything suspicious they witness. Officer Peterson said there are a couple of residents down there and have had break-ins. It is a very accessible area and they have mountain bikes and Sgt. Kelly with the canine. Officer Peterson said once people know they are there people will tell them what is going on.

Officer Kelly informed the Board he applied for this grant and nothing excludes them when they are out there. They have had problems with people drinking in the area. Fish and Game established these grants because they want the PD visible in the area. Fish and Game does not have the time and manpower to patrol the areas. The PD can deal with any incident they come along in the area. This gives them a presence in these areas that they wouldn't normally be able to patrol. The kids are getting out in these areas, this allows them to get out there at no cost to the tax payers. That money will go to other towns to be used specifically for these areas.

Officer Aiken reminded the Board that the grant goes through next year and they can schedule patrols and take advantage of additional patrols this money will afford them. Officer Aiken said the first time he received a call, drove the cruiser as far as he could, and went the extra half a mile on foot, if you don't have a 4 wheeler you get more sense where the OHRVs are and how many you are dealing with. People riding in an unsafe fashion and without registrations, have not received another call from that area since he visited. This would allow them to address these complaints. Officer Aiken said having their presence in the area will make an impact.

### **Chairman Clow closed the public hearing at 8:05 p.m.**

Chairman Clow stated the Board is concerned about the total number of hours an officer works in a week. Their concern is mainly focused on the safety of the officers not the expense. Chairman Clow said looking at all these grants, they can discuss the financial impact, but truly do worry about the safety factor of the officers. They have such a small group of officers, who have to spread themselves too thin to cover the amount of hours. That is what is behind the Board's thinking. Chairman Clow said officers have to make tremendous safety decisions on the job.

Vice Chairman Butt said he is concerned with people thinking this grant will take care of all issues with OHRV. It was discussed if the area is being abused because of ATVs the Police being present can deter some of these

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activities. Vice Chairman Butt said he is also concerned with the department needing an OHRV. Chief Begin does not feel he will ever come before the Board to ask to purchase an OHRV. Chief Begin said they will be present during the seasons, with being present and people just knowing the police go down to the area will deter activity. Lt. Carney said this grant is specifically for OHRV not for a specific location just the Town of Weare. Selectman Donison is also concerned with the number of hours officers are being called to work per week; he said he knows Chief Begin adjusted the schedule as of May 31.

**Selectman Donison moved, Chairman Clow seconded to approve the Grant for OHRV Enforcement from the State of N.H. Fish & Game with an amount up to \$2,250.00. Failed 2-2-0**

**Chairman Clow opened the public hearing at 8:14 p.m.**

**(5) Grant for Violence against Women (Goffstown District Court Regional) State of N.H. Department of Justice with an amount of \$46,806.95 of this 25% will be "in kind" portion of \$20,180.00 match from the 4 towns involved.**

Chief Begin said this grant involves Weare, Goffstown, New Boston and Frankestown. This is stimulus money from President Obama for violence against women. Chief Begin said 20-25% of Sgt. Chantel's time is dealing with victims and dealing with the positive part of the process in moving forward to prosecute. Chief Begin said they found this 75/25% grant. It was discussed the Town of Weare will not need to put any money into this grant; Goffstown is matching the grant with providing the location. As soon as the money is there they will be able to hire a woman that deals in this kind of work, she has resources that they do not have as law enforcement officers. Selectman Donison asked what if the individual doesn't take the position. Chief Begin said they will advertise for someone else. Chief Begin said she will be a court and they will set up appointments for victims to sit and speak with her which will free up a lot of Sgt. Chantel's time.

Mr. Campana asked if this grant money will pay for her salary. Chief Begin said she gets paid through the grant which is 75% federally funded. Mr. Campana asked what will happen if this grant is not available next year and this person is hired. Mr. Campana would like to know if the Town of Weare is obligated to pay her as well as other towns if grant funding is not available in the future. Chief Begin said as far as he is concerned when funding runs out the position runs out, he will be signing a contract for one year, with Goffstown as the fiscal agent. Chief Begin said they cannot take this position on with any funds. Vice Chairman Butt asked who does the work now. Chief Begin said the Prosecutors do the work now which involves preparing the victim to testify, what will be asked of them, what they need to know and what will happen to them in the future. Sgt. Chantel spends 8-10 hours per week on this. Vice Chairman Butt asked what happens to the prosecutor if they take out the 25% of his time. Chief Begin said he still has plenty of work to do. Chief Begin said the detective is working nights and all officers are doing their own detective work. Vice Chairman Butt asked in providing this service what will happen to the prosecutor when they take the service away. Chief Begin said then he will go back to performing the service.

Officer Aiken said aside from the valuable service this women will provide, she will have other benefits. She will bring a wealth of experience and contacts to the position and to Sgt. Chantel. Sgt. Chantel will then be able to bring these contacts back to the department if the grant is not available next year. Officer Aiken said the Board is commenting on officer hours, come August they will be down 2 officers and this will free up the Prosecutor. Next year when the grant is no longer available they will have 2 certified/trained officers and having a year of opportunity that the grant affords them will benefit everyone.

Officer Cox said this position could bring a wealth of information. Officer Cox said he is a cop, he chases bad guys, he is not a therapist. He has been to at least 1,000 calls for domestic issues, involving physical and sexual abuse and he gets a limited amount of training to ensure these individuals that they will be all right. He cannot bring to the table what this woman can bring to the table. This one year might change the life of at least 1 person or many. Officer Cox said this could make peoples lives better and he cannot think of one negative thing that will come out of this.

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Mr. Campana asked about the previous grants being cut and dry, just involving Weare, curious to see if the Board had any previous discussion other than tonight with another town for feedback. Chairman Clow said no. Chairman Clow said the connection is with the Goffstown District Court Region, utilizing the same court. Chairman Clow said because the court is in Goffstown it makes sense that the individual would be there. Chief Begin said Goffstown did approve the grant. Chairman Clow said they know there is no financial commitment on behalf of the Town of Weare and it would have to be a separate article on the warrant to be approved by the voters. Vice Chairman Butt said the town has never seemed to get to a point when the Police Department is at full strength and fully trained. Vice Chairman Butt does feel they need to address this support in a regional way. Chief Begin said they may find this position is extremely worth while. Vice Chairman Butt said if they approve the grant, he would like to keep track of the number of people they are sending to this individual and how many go to court, and would like to know the benefits. Selectman Osborne commented on the grant stating matching funds. Chief Begin said it is 25% "in kind" for our portion of this grant, the "in kind" is all being covered by Goffstown. Vice Chairman Butt said if anything this would free up the time of the Prosecutor.

Officer Aiken asked Selectman Osborne what her concern is. Selectman Osborne said she is not against the grant but is concerned with matching funds. Officer Aiken said he is sure Chief Begin will have something in writing from the court system. Chairman Clow said the grant states "in kind" which in this case is the office space being provided by the Town of Goffstown. Chairman Clow said in this case it is not money changing hands it is space.

**Chairman Clow closed the public hearing at 8:40 p.m.**

**Vice Chairman Butt moved, Chairman Clow seconded to approve the Grant for Violence against Women from the State of N.H. Department of Justice with an amount of \$46,806.95 of this 25% will be "in kind" portion of \$20,180 will be provided by the Town of Goffstown. Passed 3-1-0**

### MANIFESTS

**Chairman Clow moved, Vice Chairman Butt seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated July 16, 2009. Passed 4-0-0**

<b>Accounts payable</b>	<b>\$21,445.69</b>	
<b>Gross Payrolls</b>	<b>\$47,340.69</b>	(Incl. Spec. Detail, Taxes, Credit Union, Hwy Ins. Buyouts)
	<b>\$8,174.56</b>	(Accrual payout)
	<b><u>\$1,074.69</u></b>	(Forest Fire)
<b>Total</b>	<b>\$78,035.63</b>	

Vice Chairman Butt commented on the OHRV grant and said the state is not providing enough funding for Fish and Game to do the patrolling and they are pushing it locally. Vice Chairman Butt is concerned with an Officer getting injured while on foot patrols and has a problem with the state pushing these patrols on the towns. The other grants were beneficial to the community, while this grant provides a burden on the officers.

**ADJOURNMENT at 8:50 p.m.**

A True Record.

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Cherry Palmisano, Recording Secretary